

UNITED STATES DISTRICT COURT

for the

United States of America

v.

ABDIEL SOSA

DOB: 1995

Case No. 7:19-MJ-1997

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 23, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 1001

Offense Description

False Statements

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

s/Kyle O'Neal

Complainant's signature

Kyle O'Neal, Special Agent - FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/25/19 @ 12:56 pm

City and state: McAllen, Texas



Judge's signature

Juan F. Alanis - United States Magistrate Judge

Printed name and title

Attachment "A"
Affidavit in Support of Complaint

I, Kyle O'Neal, being first duly sworn, state as follows:

Introduction

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since May of 2016. I am currently assigned to the San Antonio Division, McAllen office where I conduct a variety of investigations pertaining to gangs and violent crime. In the performance of my duties, I have investigated and assisted in the investigation of violent criminal organizations to include street gangs and home invasion crews. I have received training from the FBI pertaining to the investigation of such matters and have conferred with FBI colleagues with extensive training and experience in the investigation of violent criminal organizations.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Your affiant knows that it is a violation of Title 18 United States Code Section 1001 to knowingly and willfully make a false statement or representation in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of the offenses listed above have been committed by **Abdiel SOSA** (hereinafter "**SOSA**").

Facts Supporting Probable Cause

4. On August 22, 2019, SOSA was working for the Federal Bureau of Investigation (FBI) as a confidential informant. **SOSA** stated to handling Agents that Abraham HURTADO Trevino (hereinafter "**HURTADO**") had provided photos and videos of a Light Anti-Tank Weapon

(LAW) which he offered to sell for \$15,000. **SOSA** had previously purchased firearms from HURTADO at the direction of the FBI.

5. On August 23, 2019, your affiant and other investigators met with **SOSA** at a staging location and provided him with \$15,000 in United States currency for the purpose of purchasing the LAW from HURTADO during a controlled FBI operation. **SOSA** departed the staging location under observation from surveillance units and drove to 5700 S 10th Street in McAllen, Texas at the direction of HURTADO. **SOSA** departed that location and drove to the La Plaza Mall located at 2200 S 10th St in McAllen, Texas. **SOSA** was observed meeting with HURTADO in **SOSA's** vehicle in the parking garage. Afterwards, HURTADO departed the location and **SOSA** drove back to 5700 S 10th Street before driving north on S Old 10th Street and parking on the side of the road.

6. **SOSA** called investigators during the operation and stated that he was told to wait for HURTADO at his current location while he retrieved the weapons. Additionally, **SOSA** stated that he had already provided HURTADO with the entire \$15,000 and that HURTADO left to go pick up the LAW. Eventually, **SOSA** told investigators that HURTADO was no longer responding to phone calls. **SOSA** was instructed to drive to a location in order to meet with investigators. **SOSA** stated that he gave HURTADO the entire \$15,000 because he feared HURTADO.

7. **SOSA** was transported to the FBI McAllen office for additional interview and his vehicle was transported separately. At the same time, Agents were able to locate HURTADO and question him regarding his meeting with **SOSA**. HURTADO stated that **SOSA** gave him approximately \$4,000 for pretending that he was going to sell a LAW and kept the rest for himself. A consent search was conducted at HURTADO's residence and a safe was found with a large amount of currency. HURTADO later confirmed to investigators that some of the money in the safe was from **SOSA**. A search was conducted on **SOSA's** vehicle and \$8,800 was found hidden under the carpet in front of the driver's seat.

8. Agents placed **SOSA** under arrest and conducted a custodial interview of **SOSA** at the FBI McAllen office. After being read his Miranda warnings, **SOSA** admitted that he lied to investigators about having provided the \$15,000 to HURTADO. **SOSA** stated that he told

HURTADO that he would pay him to pretend that they were conducting a deal for the LAW. **SOSA** stated that he needed to steal the money in order to pay off a debt that he owed.

Conclusion

9. As a result of the interview, investigators have probable cause to believe that **SOSA** knowingly and willfully concealed specific facts regarding his cooperation with HURTADO and the status of the money provided to **SOSA** for the purchase of the LAW. Additionally, **SOSA** made materially false statements to investigators about those same circumstances in order to conceal evidence of criminal acts committed by **SOSA** and his accomplices.

10. Based on the aforementioned factual information, your Affiant respectfully submits that **SOSA** did commit a violation of Title 18, United States Code, Section 1001.

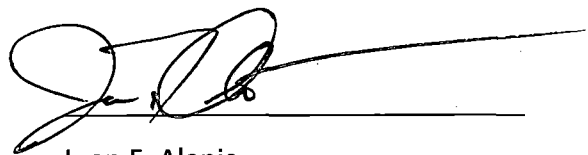
s/ Kyle O'Neal

Kyle O'Neal

Special Agent

Federal Bureau of Investigation

Sworn to and subscribed before me this 25th day of August, 2019.

A handwritten signature in black ink, appearing to read 'Juan F. Alanis', is written over a horizontal line.

Juan F. Alanis

United States Magistrate Judge